IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 11TH OCTOBER 2007 / 19TH ASWINA 1929

WP(C).No. 10661 of 2007(T)

PETITIONER:

K.KHALEELUDEEN KUNJU,
S/O.ISMAIL KUNJU, AGED 45 YEARS,
RESIDING AT NILACKAL THEKKETHIL HOUSE,
PAREMAVU, IDUKKI COLONY P.O., IDUKKI.

BY ADV. SRI.C.K.PAVITHRAN

RESPONDENTS:

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1. VAZHATHOPE GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY, VAZHATHOPE GRAMA
PANCHAYATH, IDUKKI DISTRICT.

2. PRESIDENT, VAZHATHOPPE GRAMA
PANCHAYATH, VAZHATHOPE, IDUKKI DISTRICT.

3. ASSISTANT EXECUTIVE ENGINEER,
OFFICE OF THE EXECUTIVE ENGINEER,
LOCAL SELF GOVERNMENT DEPARTMENT, DISTRICT
PANCHAYATH, PAINAVU, IDUKKI.

4. GOVERNMENT OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
LOCAL SELF GOVERNMENT DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

R1 BY ADV. SRI.M.V.BOSE
R3 & R4 BY ADV. SMT. T.B.REMANI, GOVT. PLEADER.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/10/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) No. 10661 OF 2007

Dated this the 11th day of October, 2007

JUDGMENT

The learned Government Pleader has not been able to get instructions so far. The counsel for the Panchayat now submits that he will file counter affidavit positively by next week. I do not think that the Panchayat is justified in seeking time to file counter in the face of Ext.P3. I dispose of the Writ Petition issuing the following directions:

The 1st respondent, within three weeks of receiving copy of this judgment, will request the Government for administrative sanction for release of additional amount of Rs.28,000/- which has been found to be due to the petitioner as per Ext.P3. The Government, upon receiving request from the Panchayat, will consider the same and take an early decision. At any rate, the Government will take decision within two months of receiving the request from the Panchayat. Once the Panchayat is informed of the decision taken by the Government on the Panchayat's request for administrative sanction, the Panchayat will inform the petitioner about the said decision.

PIUS C. KURIAKOSE, JUDGE

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